

Senator Swayne moved to suspend regular business and take up Senate bill No. 241.

(No quorum voting.)

Senator Baldwin moved to adjourn till to-morrow morning at 10 o'clock.

Lost by the following vote:

YEAS—10.

Agnew,	Lewis,
Atlee,	McKinney,
Baldwin,	Steele,
Goss,	Tips,
Greer,	Whitaker.

NAYS—19.

Bowser,	Lawhon,
Browning,	McComb,
Crowley,	Presler,
Dean,	Shelburne,
Dickson,	Simpson,
Douglass,	Smith,
Hutchison,	Swayne,
Imboden,	Woods,
Jester,	Yoakum.
Kearby,	

ABSENT—1.

Cranford.

EXCUSED—1.

Boren.

Regular business was then suspended and the Chair laid before the Senate,

Senate bill No. 241, entitled "An act to extend the time within which lands that have been sold for taxes and bought in by the State, cities and towns, may be redeemed."

Bill read second time.

Senator Baldwin moved to adjourn to 10 a. m. to-morrow.

Lost.

By Senator Swayne:

Amend by striking out all the words after and including the word "provided" in emergency clause and inserting the same at the end of section one.

Adopted.

The bill was then ordered engrossed.

On motion of Senator Swayne, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

YEAS—26.

Agnew,	Lewis,
Atlee,	McComb,
Browning,	McKinney,
Crowley,	Presler,
Dean,	Shelburne,
Dickson,	Simpson,
Douglass,	Smith,
Goss,	Steele,
Hutchison,	Swayne,
Imboden,	Tips,

Jester,	Whitaker,
Kearby,	Woods,
Lawhon,	Yoakum.

NAYS—1

Baldwin.

ABSENT—3.

Bowser,  
Cranford,

Greer.

EXCUSED—1.

Boren.

Bill read third time and passed by the following vote:

YEAS—28.

Agnew,	Lawhon,
Atlee,	Lewis,
Baldwin,	McComb,
Bowser,	McKinney,
Browning,	Presler,
Crowley,	Shelburne,
Dean,	Simpson,
Dickson,	Smith,
Douglass,	Steele,
Goss,	Swayne,
Hutchison,	Tips,
Imboden,	Whitaker,
Jester,	Woods,
Kearby,	Yoakum.

NAYS—none.

ABSENT—2.

Cranford,

Greer.

EXCUSED—1.

Boren.

On motion of Senator Smith, Senate adjourned till to-morrow morning 10 o'clock.

#### FIFTY-FOURTH DAY.

SENATE CHAMBER,

AUSTIN, TEXAS, March 14, 1893.

Senate met pursuant to adjournment.

Lieutenant-Governor Crane in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

PRESENT—30.

Agnew,	Jester,
Atlee,	Kearby,
Baldwin,	Lawhon,
Boren,	McComb,
Bowser,	McKinney,
Browning,	Presler,
Cranford,	Shelburne,
Crowley,	Simpson,
Dean,	Smith,
Dickson,	Steele,
Douglass,	Swayne,
Goss,	Tips,
Greer,	Whitaker,

Hutchison,  
Imboden,

Woods,  
Yoakum.

ABSENT—1.

Lewis.

Prayer by the chaplain, Dr. Briggs,  
as follows:

Our Father! Continue Thy mercy  
toward us. Let Thy compassion fail  
not. Come with every new-born day.  
Breathe in every wind that blows.  
Set a glory and a defense around our  
whole life. Then for us shall life be  
so transfigured, that its roughest  
places shall be beautiful as gardens  
uplifted in the sunlight. Yea, the  
earth shall be crammed with heaven,  
and every common bush afire with  
God. And to Thy name be praise and  
glory. Amen.

Pending the reading of the journal  
of yesterday,

On motion of Senator Jester, the  
reading of the same was suspended.

#### PETITIONS AND MEMORIALS.

By Senator Goss:

Petition from citizens of Baylor  
county asking an appropriation to pay  
for scalps of wild animals.

Read and referred to Committee on  
State Affairs.

By Senator Goss:

Petition from citizens of Knox  
county asking that the scalp law be  
continued in force.

Read and referred to Committee on  
State Affairs.

On motion of Senator McKinney,  
the journal of yesterday was corrected  
so as to show that in the amendment  
offered by Senator Yoakum to Senate  
bill No. 94, the word "suspended"  
should be "supreme."

On motion of Senator Dickson,

Senate bill No. 189, entitled "An act  
to amend article 4949, chapter 3 of the  
Revised Civil Statutes of the State of  
Texas," was recommitted to Judiciary  
Committee No. 2.

#### COMMITTEE REPORTS.

COMMITTEE ROOM,

AUSTIN, TEXAS, March 13, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Counties and  
County Boundaries, to whom was re-  
ferred

House bill No. 175, entitled "An act  
to establish and organize the county  
of Barnard,"

Have had the same under consider-  
ation, and instruct me to report it  
back to the Senate with the recom-  
mendation that it *do not* pass.

Goss, Chairman.

COMMITTEE ROOM,

AUSTIN, TEXAS, March 14, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Enrolled Bills  
have carefully examined and compared  
Senate bill No. 130, being "An act to  
fix the fees of district and county at-  
torneys ad litem in suits instituted  
by the State for the recovery of inter-  
est due the school fund, or to forfeit  
school land for the non-payment of  
purchase money and to provide for  
the payment thereof,"

And find the same correctly en-  
rolled, and have this day, at 10.50 a.  
m., presented the same to the Governor  
for his approval.

IMBODEN, Chairman.

COMMITTEE ROOM,

AUSTIN, TEXAS, March 13, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Engrossed Bills  
have carefully examined and com-  
pared

Substitute Senate bill No. 143, be-  
ing "An act to provide for the pay-  
ment by new counties of their propor-  
tionate share of the indebtedness of  
the older counties from which they  
were created,"

And find the same correctly en-  
grossed.

PRESLER, Chairman.

COMMITTEE ROOM,

AUSTIN, TEXAS, March 13, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Engrossed Bills  
have carefully examined and com-  
pared

Senate bill No. 138, being "An act to  
amend articles 2165, 2166, 2167 and 2181,  
and to add articles 2181a, 2183a and  
2183b to chapter 28 of the Revised  
Civil Statutes of the State of Texas,"

And find the same correctly en-  
grossed.

PRESLER, Chairman.

COMMITTEE ROOM,

AUSTIN, TEXAS, March 14, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Engrossed Bills  
have carefully examined and com-  
pared

Senate bill No. 94, being "An act to  
regulate and limit the publication by  
authority of the State of the opinions  
of the supreme court, the courts of  
civil appeals and the court of criminal  
appeals of the State of Texas,"

And find the same correctly en-  
grossed.

PRESLER, Chairman.

COMMITTEE ROOM,  
AUSTIN, TEXAS, March 14, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 241, being "An act to extend the time within which lands that have been sold for taxes and bought in by the State, cities and towns may be redeemed,"

And find the same correctly engrossed.

PRESLER, Chairman.

COMMITTEE ROOM,  
AUSTIN, TEXAS, March 14, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Constitutional Amendments, to whom was referred

Senate joint resolution No. 3, entitled "A joint resolution to amend sections 1, 2, 3, 4, 5, 24 and 28 of article 3 of the Constitution of Texas,

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that the accompanying substitute be adopted in lieu of said resolution and that the substitute *do pass*.

BROWNING, Chairman.

Joint resolution to amend sections 2, 4, 25 and 28 of article 3, of the Constitution of the State of Texas.

*Be it resolved by the Legislature of the State of Texas, That sections 1, 2, 4, 25 and 28, of article 3, of the Constitution of the State of Texas be so amended as to read as follows:*

Sec. 2. The Senate shall consist of thirty-one members and shall never be increased above that number. The House of Representatives shall consist of ninety-three members and shall never be increased above that number.

Sec. 24. The members of the Legislature shall receive from the public treasury as compensation for their services the sum of five hundred dollars per annum, to be paid semi-annually on the first days of January and June of each year; provided, that this section shall not take effect until the 1st day of January, 1895, at which time said salaries shall begin; and provided further, that this amendment shall not apply to any member of the Legislature until his present term expires.

Sec. 28. The Legislature shall, at its first session after the adoption of these amendments, redistrict the State into representative districts in accordance with the provisions of section 26 of this article, and shall, at its

first session after the publication of of each United States decimal census, apportion the State into representative districts agreeable to the provisions of section 26 of this article.

Sec. 28a. The foregoing constitutional amendments shall be submitted to a vote of the qualified electors for members of the Legislature of the State of Texas at the next general election for State and county officers, at which election all votes favoring said proposed amendments shall write or have printed on their ballots the words "For the amendments to sections 2, 4, 24 and 28 of article 3 of the Constitution."

And all votes opposed to said amendments shall write or have printed on their ballots the words: "Against the amendments to sections 2, 4, 24 and 28 of article 3 of the Constitution."

Provided, that the said sections and articles of the Constitution may be indicated on said ballots either by words, figures or numerals.

The Governor of the State is hereby directed to issue the necessary proclamation for said election, and have the same published as required by the Constitution and the existing laws of the State.

#### HOUSE MESSAGES.

HOUSE OF REPRESENTATIVES,  
AUSTIN, TEXAS, March 14, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to inform the Senate of the passage by the House of the following bill, to-wit:

Senate bill No. 88, being a bill to be entitled "An act to amend section 11 of an act approved April 28, 1891, entitled an act to amend sections 11, 14 and 15 of an act to amend sections 5, 8, 11, 13, 14, 15 and 22, chapter 99 of an act entitled an act to provide for the sale of all lands heretofore or hereafter surveyed and set apart for the benefit of the public free schools, the university and the several asylums, and the lease of such lands and of the public lands of the State, and to prevent the free use, occupancy, unlawful enclosure or unlawful appropriation of such lands, and to prescribe and provide adequate penalties therefor, approved April 1, 1887, approved April 8, 1889."

Passed by two-third vote; ayes 98, nays none.

Also, that the House has concurred in the Senate amendments to House bill No. 26, "An act entitled an act to

amend articles 747 and 748, chapter 11, title 17, of the Penal Code."

Respectfully,

CHESTER HAILE,  
Acting Chief Clerk House of Representatives.

Call concluded.

#### BILLS ON THIRD READING.

The Chair laid before the Senate, House bill No. 165, "An act passed by the Twenty-first Legislature, approved April 4, 1889, entitled an act to amend an act passed by the Twentieth Legislature, approved April 2, 1887, entitled an act to amend article 430 of section 1, and to repeal section 2 of an act entitled an act to amend articles 423, 424, 425, 426, 427, 428, 429, 430a, and to create article 426 1-2, and to repeal article 130, chapter 5, title 13 of the Penal Code of the Revised Statutes, for the protection of fish and game, approved March 15, 1881."

Bill read third time.

By Senator Cranford:

Amend by striking out the word "Titus" in line 12, page 1, and by striking out the word "Titus" in line 50, page 3.

Adopted by the following two-thirds vote:

#### YEAS—27.

Agnew,	Kearby,
Atlee,	Lawhon,
Baldwin,	McComb,
Boren,	McKinney,
Bowser,	Presler,
Browning,	Shelburne,
Cranford,	Simpson,
Dickson,	Smith,
Douglass,	Steele,
Goss,	Tips,
Greer,	Whitaker,
Hutchison,	Woods,
Imboden,	Yoakum,
Jester,	

#### NAYS—none.

#### ABSENT—4.

Crowley,	Lewis,
Dean,	Swayne.

Bill passed.

As per the Cranford resolution, adopted yesterday, the roll was called and Senator Agnew called up

Senate joint resolution No. 8, "To amend section 30, article 16, of the Constitution of the State of Texas."

Resolution read with committee report, advising the consideration of joint resolution No. 8 and

Senate joint resolution No. 9, "To amend section 2 of article 10 of the Constitution of the State, relating to railroads," in conjunction,

By Senator McComb:

Amend committee report by striking out the following, "and that it be considered in connection with Senate joint resolution No. 9."

Senator Steele made the point of order that the amendment was not in order for the reason that the Senate could not amend a committee report, for in such case the Senate would become a part of such committee.

Not sustained.

Amendment adopted.

The committee report as amended was then adopted.

By Senator Goss:

Amend section 2 by inserting in the first blank the words "first Thursday," and in the second blank the word "August."

Senator McComb moved to substitute Senate joint resolution No. 9 for Senate joint resolution No. 8 and amendment thereto.

Lost by the following vote:

#### YEAS—12.

Boren,	McKinney,
Browning,	Presler,
Jester,	Steele,
Kearby,	Swayne,
Lawhon,	Woods,
McComb,	Yoakum.

#### NAYS—17.

Agnew,	Greer,
Atlee,	Hutchison,
Baldwin,	Lewis,
Cranford,	Shelburne,
Crowley,	Simpson,
Dean,	Smith,
Dickson,	Tips,
Douglass,	Whitaker.
Goss,	

#### ABSENT—2.

Bowser,	Imboden.
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By Senator Kearby:

Substitute the amendment (Goss): Amend by striking out the words "on the" in line 2, page 2, and by striking out the words and figures in A. D. 1893, in line 3 of page 2, and insert the following: "At the next general election."

Adopted.

The amendment as substituted was then adopted.

By Senator Atlee:

Amend as follows:

Strike out all after "provided" in line 7 of section 1 down to and including the word "shall" in line 12, and insert in lieu thereof the following: "That when a railroad commission is created by law it shall be composed of three commissioners, who shall be elected by the people at a general



election for State officers, and their term of office shall be six years, provided, railroad commissioners first elected after this amendment goes into effect shall hold office as follows: "One shall."

Adopted.

By Senator Goss:

Amend by adding to section 2 the following: "And the Governor of the State is hereby directed to issue the necessary proclamation for said election and have the same published as required by the Constitution and existing laws of the State."

Adopted.

The resolution was then ordered engrossed.

The Chair gave notice of signing and signed

Senate bill No. 120, entitled "An act to fix the fees of district and county attorneys and attorneys ad litem in suits instituted by the State for the recovery of interest due the school fund, or to forfeit school land for non-payment of the purchase money, and to provide for the payment thereof," and

House bill No. 26, entitled "An act to amend articles 747 and 748, chapter 11, title 17 of the Penal Code," after the captions of same had been read.

Senator Atlee's name being reached on the roll, he called up

Senate bill No. 233, entitled "An act to protect laborers employed in manufacturing establishments and in mines in the State of Texas, and to secure them in the payment of the wages of labor, and to provide a penalty for violation of the provisions of this act."

Bill read second time.

First and second committee amendments read and

Lost.

Third committee amendment read.

By Senator Smith:

Amend committee amendment to section 2, by striking out in line 1, page 4, all after the word "act" down to the word "or" in line 5, page 4.

By Senator Tips, substitute:

Amend section 2 as amended by the committee by striking out all after the word "corporation" in third line from the bottom thereof, and substitute the following: "Shall be deemed and held liable to the owner or holder of such order, check, memorandum, token or evidence of indebtedness in double the amount or value of such order, check, memorandum, token or evidence of indebtedness, together with costs of court and reasonable attorneys fees."

The substitute was lost.

The amendment was lost.

By Senator Atlee:

Amend third committee amendment as follows:

Strike out "doing business" in second line of amendment and insert "engaged in manufacturing or mining."

Lost.

By Senator Steele:

Amend section 2 by adding the following:

Provided, that the provisions of this act shall not apply to persons engaged in agriculture."

Pending further action, Senator Atlee entered a motion to reconsider the vote by which his amendment was lost and the same was spread upon the journal.

Senator Imboden entered a motion to reconsider the vote by which the amendment offered by Senator Tips was lost, and the motion was spread upon the journal.

Senator Smith moved to adjourn to 10 a. m. to-morrow.

Senator Baldwin moved to adjourn to 3 p. m. to-day.

The vote recurring on the longest time, the Senate adjourned to 10 a. m. to-morrow, by the following vote:

YEAS—21.

Agnaw,	Lewis,
Atlee,	McKinney,
Boren,	Presler,
Cranford,	Shelburne,
Crowley,	Simpson,
Dean,	Smith,
Dickson,	Steele,
Douglas,	Tips,
Goss,	Woods,
Greer,	Yoakum,
Hutchison,	

NAYS—9.

Baldwin,	Kearby,
Bowser,	Lawhon,
Browning,	McComb,
Imboden,	Whitaker,
Jester,	

ABSENT—1.

Swayne.

## FIFTY-FIFTH DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, March 15, 1893.

Senate met pursuant to adjournment.

President Pro Tem Kearby in the chair.

Roll called.

Quorum present, the following Senators answering to their names: